

**Remarks**

Claims 38 to 44, 46, 47, 49 to 51, 53, 55 to 57, 60, 61, 63 to 67, 69 to 76, 79 to 81 are pending of which claims 38 and 43 are the only claims in independent form. Claim 38 has been amended to incorporate the limitations of claim 52. Claim 52 has been cancelled.

Claims 66, 67, 69 to 70, 72 to 76 and 79 to 81 are withdrawn from consideration. Withdrawn claim 66 has been amended in accordance with device claim 38 and withdrawn claim 71 has been cancelled. In view of these amendments, rejoinder of the withdrawn claims is respectfully requested.

Claims 38-44, 46, 47, 49-53, 55 to 57, 60, 61 and 63-65, were examined on the merits.

On page 13, the Office noted that claims 52, 55-57 and 60 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, applicants have amended all independent claims, namely claims 38 and 43 to incorporate the limitations of claim 52. Applicants have also amended method claim 66 accordingly and respectfully request rejoinder. Applicants respectfully submit that the amendments introduced should bring all claims into condition for allowance.

**OBJECTIONS TO THE ABSTRACT**

On page 2, paragraph 4 the Office objected to the use of "claims" words such as "said" in the abstract and the length of the abstract.

In response, applicants submit an amended abstract herewith.

### **35 USC 112, SECOND PARAGRAPH REJECTIONS**

**On page 3**, the Office rejected claims 39 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Without conceding the correctness of this rejection and for the sole purpose of furthering the prosecution of this case, applicants have cancelled this claim rendering the rejection moot.

### **35 USC 102(B) REJECTIONS**

On page 4, starting in paragraph 10, the Office reiterated the rejection of claims 38, 41, 42, 44 and 46 under 35 U.S.C. 102(b) as being anticipated by Schisselbauer (US 4,968,567) (hereafter referred to as "Schisselbauer").

Claim 38 has been amended, without prejudice, to incorporate the limitations of claim 52 for the sole purpose of furthering the prosecution of this case. Claim 38 should thus be allowable. Claims 41, 42, 44 and 46 which are directly or indirectly dependent on the so amended claim 38 should also be allowable.

### **35 USC 103 (A) REJECTIONS**

**On page 5**, starting in paragraph 19, the Office rejected claims **39 and 40** under 35 USC 103(a) as being unpatentable over Schisselbauer in view of Berson et al. (US 6,720,178 B1, hereinafter "Berson"). On page 7, starting in paragraph 23, claim **43** is rejected in view of the same combination of references.

Claim 39 has been cancelled rendering the rejection with regard to claim 39 moot. Claim 40 is now dependent on amended claim 38 and thus should be in condition for allowance.

Claim 43, which used to be a claim dependent from claim 38 and which was converted into independent format in the amendment filed on April 24, 2009, was

also amended, without prejudice, to incorporate the limitations of claim 52 for the sole purpose of furthering the prosecution of this case. Claim 43 should thus be allowable.

**On page 8**, starting on paragraph 25, the Office rejected claims **50** under 35 USC 103 (a) as being unpatentable over Schisselbauer in view of Schwartzman (US 3,521,745).

Claim 50 is dependent on amended claim 38 and should therefore be allowable for the reasons set forth above.

**On page 9**, starting on paragraph 28, the Office rejected claims **51** under 35 USC 103(a) as being unpatentable over Schisselbauer in view of Schwartzman and in further view of Berson.

Claim 51 is dependent on claim 50 which depends from amended claim 38 and should therefore be allowable for the reasons set forth above.

On page 10, starting on paragraph 31, the Office rejected **claim 49** as being unpatentable over Schisselbauer in view of Blackburn (US 2003/0190608 A1).

Since claim 49 has been previously cancelled, the rejection is moot.

**Also on page 10**, the Office rejected claims **47 and 61** under 35 USC 103(a) as being unpatentable over Schisselbauer in view of Barbera-Guillem (US 2004/0029266 A1).

Both claims are directly or indirectly dependent on amended claim 38 and should therefore be allowable for the reasons set forth above.

**On page 11**, the Office rejected **claim 63** under 35 USC 103(a) as being unpatentable over Schisselbauer in view of Bean et al. (US 4,061,543, hereinafter "Bean").

Claim 63 is dependent on amended claim 38 and should therefore be allowable for the reasons set forth above.

**On page 12**, the Office rejected claims **64 and 65** under 35 USC 103(a) as being unpatentable over Schisselbauer in view of Beichmann et al. (US 2002/0164776 A1).

Both claims are directly or indirectly dependent on amended claim 38 and should therefore be allowable for the reasons set forth above.

In view of the above, an early notice of allowance is respectfully requested. If there are any outstanding issues, the Office is urged to call the undersigned at 301-657-1282.

No fee additional fees are believed to be due with this response. However, the Office is authorized to charge any fee deficiencies and overpayment to undersign's deposit account no. 50-3135.

Respectfully submitted,

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**November 19, 2009**